

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

AS HOLDINGS, INC.)	
)	
Opposer,)	
)	Opposition No. 91182064
-vs-)	
)	Serial No. 76/461,157
H&C MILCOR, INC. f/k/a)	Mark: Miscellaneous Design
AQUATICO OF TEXAS, INC.,)	(Pipe Boot Product Design)
)	
Applicant.)	

*APPLICANT'S OPPOSITION TO REQUEST FOR CORRECTION OF ORDER
EXTENDING SCHEDULED DATES ON CONSENTED MOTION OF OPPOSER*

On September 30, 2008, the Opposer filed electronically a REQUEST FOR CORRECTION OF ORDER EXTENDING SCHEDULED DATES ON CONSENTED MOTION OF OPPOSER. Applicant opposes that Request because, if granted, would prejudice Applicant.

On September 24, 2008, Applicant filed by Federal Express a Motion to Extend the Discovery Period by 60 days. Before the Board acted on that Motion, the Opposer electronically filed on September 29, 2008, an "unopposed" Motion to also extend discovery by 60 days, which was granted the same day resetting all dates as follows:

Expert Disclosure Due:	10/30/2008
Discovery Closes:	11/29/2008
Plaintiff's Pretrial Disclosures:	01/13/2009
Plaintiff's 30-day Trial Period Ends:	02/27/2009
Defendant's Pretrial Disclosures:	03/14/2009
Defendant's 30-day Trial Period Ends:	04/28/2009
Plaintiff's Rebuttal Disclosures:	05/13/2009
Plaintiff's 15-day Rebuttal Period Ends:	06/12/2009



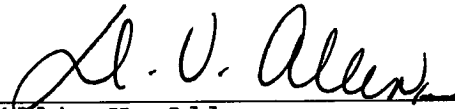
10-08-2008

Relying on the resetting of the expert disclosure date, Applicant served a Notice of Expert Witnesses on October 3, 2008, naming its possible expert witnesses.

Applicant requires expert testimony to fully and properly present its case.

Therefore, Applicant will be severely damaged and prejudiced if the Board strikes the date for naming expert witnesses.

Applicant asks the Board to deny Opposer's Request for Correction of Order Extending Scheduled Dates on Consented Motion of Opposer.



Dillis V. Allen
Reg. No. 22,460
Attorney for H&C MILCOR, INC.

DATED: October 7, 2008

CERTIFICATE OF SERVICE

This is to certify that on October 7, 2008, Applicant's Opposition to Opposer's Request for Correction of Order Extending Scheduled Dates on Consented Motion of Opposer was filed via Federal Express with the Trademark Trial and Appeal Board and a true and correct copy of said Opposition was sent on October 7, 2008, via first-class mail, postage prepaid, to Opposer's counsel as follows:

Terence J. Linn, Esq.
Van Dyke, Gardner, Linn & Burkhart, LLP
2851 Charlevoix Drive SE, Suite 207
Grand Rapids, MI 49588-8695



Dillis V. Allen

Dillis V. Allen, Esq.
105 S. Roselle Road
Suite 101
Schaumburg, IL 60193
847/895-9100